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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,558	12/29/1999	BIN CHI CHIOU	07850-056001	1117
2292	7590	07/20/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			JAIN, RAJ K	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/473,558

Applicant(s)

CHIOU, BIN CHI

Examiner

Raj K. Jain

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☒ Claim(s) 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 9 recites the limitation "said network port" in line 3. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Objections

Claim 9 is objected to because of the following informalities: In line 8 the recitation "for determining the link between the destination of said packet and said network port" is vague and indefinite. It is now clear to one of ordinary skill in the art from the specification or drawings how this limitation can be applied within the invention. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9, 10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kloth et al (US006147993A).

Regarding claim 9, Kloth discloses a method of switching network packet for a switch (see abstract), comprising:

providing a routing table made up of plural indices, for recording the source address of said packet and the messages associated with said network port (see Fig. 6 illustrates a routing table used in Kloths invention. A switch provides the basic functions of a bridge including filtering of data traffic by MAC address, "learning" of a MAC address based upon a source MAC address of a frame and forwarding of the frame based upon a destination MAC address, see col 2 line 66 – col 3 line 17).

providing a route learning device, responding to the source address of said packet and the content of said routing table, for creating a new index of said routing table or updating an index of said routing table (see Figs. 3 and 6. Fig. 6 shows a forwarding table 600 that has an XTAG 604 associated with a destination address, the XTAG is used to associate several router addresses to a single router, changing XTAGs in the forwarding table 600 provides for new flows which are created instantaneously while old flows are invalidated see col 7 lines 9-33. The changed information includes new source and destination addresses see col 8 lines 54-65 and Fig. 5.);

providing a route selecting device, responding to the destination address of said packet and the content of said routing table, for determining the link between the destination of said packet and said network port (see Fig. 5, col 3 lines 1-9, The path determination, or forwarding decision, function enables the router to select the most

appropriate interface for forwarding a packet. Thus in Step 510 information pertaining to the candidate are "inserted" into the shortcut table 700 to partially populate the table. The flow information comprises destination address and also source address for packet routing, see col 7 lines 34-63.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kloth et al (US006147993A) as applied to claim 9 above, and further in view of Ciotti Jr et al 9US006421731B1. Kloth fails to disclose resetting the content of a routing table.

Ciotti discloses resetting the content of a routing table (see Fig. 2, FIG. 2 represents a routing table 34 which each node 25 (Fig. 1) maintains in memory within the network 20. The routing table 34 for a given node 25 includes entries for each of the other nodes 25 within the network 20 which are reachable through the subject node 25. Each entry is represented by a row 36 and defines routing information for the corresponding node. For each entry there exists a "Node" field 38 which contains the network identification address (ID) of the particular ultimate destination node 25 corresponding to the entry, see col 5 lines 10-25. FIG. 12, illustrates the procedure by which each node 25 performs a triggered update or table resetting. Following step 222,

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the node 25 proceeds to step 224 in which it resets all of the route change flags in field 46 of the routing table from "Y" to "N". After step 224, the triggered update is completed, see col 17 lines 48 – col 18 line 5.).

In order to maintain the quality of the routing table, the information is periodically refreshed or reset and therefore it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Ciotti within Kloth so as to have the most up to date route information available for all paths between desired nodes as appropriate.

Allowable Subject Matter

Claims 11-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 is allowed.

The prior art fails to disclose a switch device connected to plural network ports and a first memory control device for creating a source address and associated messages of said network ports creating a destination address and associated messages of said network port in accordance with the contents of said first memory device.

Response to Arguments

Applicant's arguments with respect to claim 30 May 2006 have been considered but are moot in view of the new ground(s) of rejection..

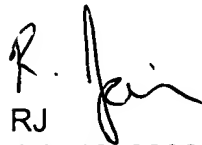
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.


RJ
July 19, 2006